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10/796,132	03/10/2004	Akihiro Mizutani	043118-0143	2059

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EXAMINER	
LANIER, BENJAMIN E	

ART UNIT	PAPER NUMBER
2132	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/796,132	MIZUTANI, AKIHIRO	
	Examiner	Art Unit	
	BENJAMIN E. LANIER	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 July 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12 and 17-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12 and 17-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *4/24/2008*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed 28 July 2008 amends claims 1 and 7. Applicant's amendment has been fully considered and entered.

Response to Arguments

2. Applicant argues, "the Seroussi reference fails to disclose, teach or suggest wherein when a user has been away from the image processing apparatus for a predetermined time or more, while being in the personal operation mode, the mode switching section switches the operation mode from the personal operation mode into the public operation mode and displays on the display section, a screen representation to accept operation inputs by an indefinite number of users as now required by independent claims 1 and 7." This argument is not persuasive because Seroussi discloses that if the authorized user is physically away from the computer for a predetermined period of time, the computer logs the user off, and enters a ready mode (Col. 9, lines 12-21) that allows for a new user to login to the computer in same manner as the other user (Col. 6, lines 9-13, 46-52).

3. Applicant argues, "there is no mention or teaching of a display in Seroussi." This argument is not persuasive because a display is clearly shown in Figure 1 (elements 11 & 12) of Seroussi.

4. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge

generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to one of ordinary skill in the art at the time the invention was made for the access control system of Seroussi to provide a personalized desktop to an authenticated user in the manner described in Bertram so that the user may logon from any machine in the network and have his or her "desktop" the same, irrespective of the particular machine from which the logon is effected as taught by Bertram (Col. 10, lines 15-19).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 1-12, 17, 20, 21, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seroussi, U.S. Patent No. 6,836,843, in view of Bertram, U.S. Patent No. 5,948,064. Referring to claims 1, 7, Seroussi discloses an access control system using badge personal identification wherein when a user with a personal identification badge approaches a computer

having a display (Figure 1, 11 & 12), the badge detects login signal that is periodically sent out by the computer (Col. 6, lines 46-52), which meets the limitation of a display section for performing a screen display. The badge transmits a user id, stored on the badge, to the computer (Col. 8, lines 35-37). The computer receives the user id and authenticates the user for access by comparing the user id with a list of authorized ids (Col. 7, lines 50-59 & Col. 8, lines 39-44, 54-59), which meets the limitation of a user authentication section that acquires ID information to identify each user from among a plurality of users, and performs user authentication based on said ID information. The badge also contains user permissions used by the computer when user is provided access to the system (Col. 4, lines 40-46), which meets the limitation of a personal operation mode to permit each user to operate individually. If the authorized user is physically away from the computer for a predetermined period of time, the computer logs the user off, and enters a ready mode (Col. 9, lines 12-21) that allows for a new user to login to the computer in same manner as the other user (Col. 6, lines 9-13, 46-52), which meets the limitation of an operation mode setting section that can selectively set, as an operation mode that sets a work environment for operation inputs, between an personal operation mode to permit each user to operate individually and a public operation mode to permit an indefinite number of users to operate, a mode switching section that, when a user is authenticated in said user authentication section, switches said operation mode from said public operation mode into said personal operation mode for the authenticated user, wherein when a user has been away from the image processing apparatus for a predetermined time or more, while being in the personal operation mode, the mode switching section switches the operation mode from the personal operation mode into the public operation mode. Seroussi does not disclose that the user is provided with a

personalized display on the computer once authenticated. Bertram discloses a typical Windows NT operating system that provides a user with a personalized desktop once logged into a computer system based on user profile information (Col. 10, lines 6-23 & Figure 9), which meets the limitation of a personal information processing section that performs the processing of personal information relevant to the users corresponding to said ID information acquired by the user authentication section, wherein, in a personal operation mode, an operation screen is displayed for a user whose personal information has been processed by the personal information processing section, and wherein the operation screen displays information related to the personal information processing section. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the access control system of Seroussi to provide a personalized desktop to an authenticated user in the manner described in Bertram so that the user may logon from any machine in the network and have his or her "desktop" the same, irrespective of the particular machine from which the logon is effected as taught by Bertram (Col. 10, lines 15-19). Seroussi does not specify a displayed representation when the computer logs off the user and enters a ready mode (Col. 9, lines 12-21) that allows for a new user to login to the computer in same manner as the other user (Col. 6, lines 9-13, 46-52). Bertram discloses presenting a panel on the terminal display for logging into the terminal (Figure 15 & Col. 4, lines 44-49), which meets the limitation of displays on the display section, a screen representation to accept operation inputs by an indefinite number of users. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the terminals of Seroussi to display a log-in panel on the terminals when users have been logged off and the terminal enters a ready mode so

that users will know that the terminal can be logged into as taught by Bertram (Col. 4, lines 44-49).

Referring to claims 2, 8, Seroussi discloses that if the authorized user is physically away from the computer for a predetermined period of time, the computer logs the user off, and enters a ready mode (Col. 9, lines 12-21) that allows for a new user to login to the computer in same manner as the other user (Col. 6, lines 9-13, 46-52), which meets the limitation of said mode switching section switches said operation mode from said personal operation mode into said public operation mode based on a prescribed condition with the state that a current operation mode is set to said personal operation mode.

Referring to claims 3, 9, Seroussi discloses that once logged in the user badge receives challenges from the computer that includes a counter and random number (Col. 9, lines 1-12). The badge responds to the challenge with an incremented counter value and the random number (Col. 9, lines 21-26), which meets the limitation of ID information because the counter/random number combination is sufficient to identify the user whom the challenge was initially sent. If the computer does not receive a challenge within a predetermined period of time, the computer logs the user off, and enters a ready mode (Col. 9, lines 12-21) that allows for a new user to login to the computer in same manner as the other user (Col. 6, lines 9-13, 46-52), which meets the limitation of when ID information is not required for a period of time longer than a predetermined time in said user authentication section, said mode switching section switches said operation mode from said personal operation mode into said public operation mode with the state that a current operation mode is set to said personal operation mode.

Referring to claims 4, 10, Seroussi discloses that if the authorized user is physically away from the computer for a predetermined period of time, the computer logs the user off, and enters a ready mode (Col. 9, lines 12-21) that allows for a new user to login to the computer in same manner as the other user (Col. 6, lines 9-13, 46-52), which meets the limitation of a human body detection section that detects a user located in the vicinity of said image processing apparatus, wherein when a human body has not been detected by said human body detection section for a period of time longer than a predetermined time, said mode switching section switches said operation mode from said personal operation mode into said public operation mode with the state that a current operation mode is set to said personal operation mode.

Referring to claims 5, 11, Seroussi discloses that the badge also contains user permissions used by the computer when user is provided access to the system (Col. 4, lines 40-46), which meets the limitation of a setting information acquisition section that acquires setting information associated with each user, wherein said operation mode setting section sets said personal operation mode based on said setting information associated with the user authenticated in said user authentication section.

Referring to claims 6, 12, Seroussi discloses that the badge transmits a user id, stored on the badge, to the computer (Col. 8, lines 35-37). The computer receives the user id and authenticates the user for access by comparing the user id with a list of authorized ids (Col. 7, lines 50-59 & Col. 8, lines 39-44, 54-59), which meets the limitation of said ID information cooperates with login IDs in a network that can be connected to said image processing apparatus, wherein said personal information processing section that performs the processing of personal

information relevant to the users corresponding to said ID information existing on said network based on said ID information.

Referring to claims 17, 20, 21, 24, Bertram discloses that the system utilizes the Windows NT operating system (Col. 2, lines 28-30) whose email is handled by Outlook. Outlook provides email messages such that urgency and whether or not the message has been read or indicated, which meets the limitation of the personal information processing step comprises an urgent information processing step that acquires one or more communications to the user that are characterized as urgent, and wherein the operation screen displays a subscreen related to the urgent information processing section, the personal information processing section comprises an unread information processing section that acquires one or more communications that have been characterized as unread with the authentication of the ID information of the user, and wherein the operation screen displays a subscreen related to the unread information processing section.

8. Claims 18, 19, 22, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seroussi, U.S. Patent No. 6,836,843, in view of Bertram, U.S. Patent No. 5,948,064 as applied to claims 1, 7 above, and further in view of Rapp, U.S. Patent No. 6,400,997. Referring to claims 18, 19, Seroussi does not disclose providing the user with schedule and time management information. Rapp discloses a system that provides managers with access to employee information such as scheduling, and time records (Col. 1, lines 39-48), which meets the limitation of the personal information processing section comprises a schedule information processing section that acquires one or more schedules associated with the ID information of the user, and wherein the operation screen displays a subscreen related to the schedule information processing section, the personal information processing section comprises a time record

information processing section that manages arrival and departure information of one or more employees in a time record management server in cooperation with the ID information of the user, and wherein the operation screen displays a subscreen related to the time record information processing section. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the system of Seroussi to provide the authenticated user with employee information in order to allow employees to enter all types of data into an easily accessible system that collects, processes and stores data in a central location which is also easily accessible from various locations within or remote from a facility as taught by Rapp (Col. 1, lines 40-44).

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BENJAMIN E. LANIER whose telephone number is (571)272-3805. The examiner can normally be reached on M-Th 6:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Benjamin E Lanier/
Primary Examiner, Art Unit 2132